

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

A communication of:

Rodriguez et al.

Application No.: 09/342,971

Filed: June 29, 1999

For: ADVERTISING EMPLOYING  
WATERMARKING

Examiner: D. Lastra

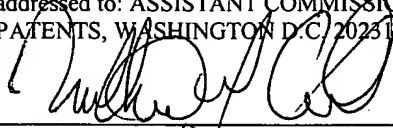
Date: March 20, 2003

Art-Unit 3622

Confirmation No. 7370

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on March 20, 2003 as First Class Mail in an envelope addressed to: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231.

  
William Y. Conwell  
Attorney for Applicant

PATENT

*Patricia Lewis*  
*#19/sep for reconsideration*  
*4-4-03*

AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir,

Responsive to the Action mailed December 31, 2002, applicants respond as follows:

REMARKS

Claims 1-4 and 6-23 remain pending in the application. Reconsideration is requested in view of the following remarks.

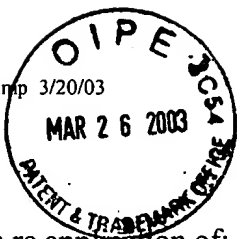
Claims 1, 3, 4, 6-10, and 12-23 stand rejected as unpatentable over Yamaguchi (6,438,251) in view of Rathus (5,932,863). Claims 2 and 11 stand rejected as unpatentable over Yamaguchi in view of merriman (5,948,061).

Yamaguchi has a 102(e) date after applicant's priority case 60/082,228, filed April 16, 1998. Accordingly, Yamaguchi is not available as prior art as to claims supported by the '228 application.

Claim 1 is supported by the '228 application. (A copy of the '228 application is enclosed for the Examiner's reference.) The '228 application notes, for example:

*The foregoing techniques are not limited to digital content files. The same approach is equally applicable with printed imagery, etc. A printed catalog, for example, can include a picture illustrating a jacket. Embedded in the picture is watermarked data. This data can be extracted by a simple hand-scanner/decoder device using straightforward scanning and decoding techniques (e.g. those known to artisans in those fields). In watermark-reading applications employing hand-*

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**MAR 28 2003**  
**GROUP 3600**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3622  
PATENT  
Attorney's Matter No. 53055

In re application of:

Rodriguez et al.

Application No.: 09/342,971

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Examiner: D. Lastra

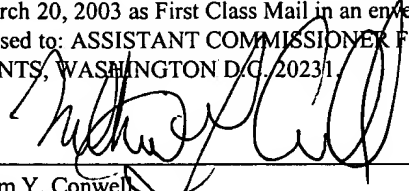
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Art Unit 3622

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William Y. Conwell  
Attorney for Applicant

**TRANSMITTAL LETTER**

TO THE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Enclosed is an Amendment for the above application. The fee has been calculated as shown below.

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**CLAIMS AS AMENDED**

For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Total Claims	22	22	= 0	\$18.00	\$
Indep. Claims	5	5	= 0	\$84.00	\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ If an extension of time is required, please consider this a petition therefore.
- ☒ Please charge any fees which may be required in connection with filing this Amendment and any extension of time, or credit any overpayment, to Deposit Account No. 50-1071.

Date: March 20, 2003



23735

Phone: 503-885-9699  
FAX 503-885-9880

Respectfully submitted,

DIGIMARC CORPORATION

By

  
William Y. Conwell  
Registration No. 31,943